

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

CHRISTOPHER BRUCE MOOREHART

DOCKET NO. 23-CV-00434 SEC. P

VERSUS

JUDGE ROBERT R. SUMMERHAYS

IRVIN CAITS, ET AL

MAGISTRATE JUDGE AYO

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

IT IS ORDERED, ADJUDGED AND DECREED that the complaint, insofar as it seeks Moorechart's release from custody, be construed as a petition for writ of habeas corpus (28 U.S.C. § 2254) and that it be **DENIED** and **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies prior to filing suit.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this complaint, insofar as it seeks money damages, be **DENIED** and **DISMISSED WITH PREJUDICE** as frivolous.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 13th day of July, 2023.

A large, stylized handwritten signature in black ink, likely belonging to Robert R. Summerhays, is written over a horizontal line.

**ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE**